

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

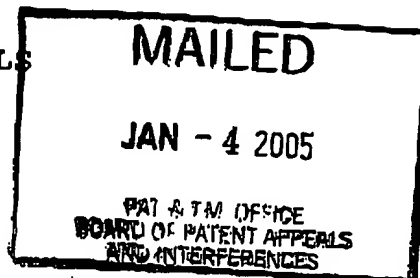
The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOSEF THEURER and
BERNHARD LICHTBERGER

Application No. 09/501,251



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on November 19, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On March 9, 2004, an Information Disclosure Statement (IDS) was filed. The IDS needs to be considered by the primary examiner with respect to compliance with the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying appellants of the primary examiner's decision is required.

Accordingly, it is

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ORDERED that the application is returned to the Examiner for consideration of the IDS, notification to applicants of consideration and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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RA05-0120

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